

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Dalhart, Texas proposes to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following described territory, to wit:

Property Description

72.01 Acre Tract

STATE OF TEXAS

COUNTY OF HARTLEY

A 72.01 acre tract encompassing the Burlington Northern and Santa Fe Railroad (BNSF) Right-Of-Way (R-O-W), the Highway 87 / U.S. Highway 385 R-O-W, a portion of the adjoining F.M. 281 R-O-W, and all of the following tracts: a 3.48 acre tract per Vol. 50, Pg. 98 Official Real Property Records (O.R.P.R.), a 0.269 ac tract per Instr. # 105977, a 4.22 acre tract per Instr. # 103941, a 10.69 acre tract per Instr. #104038, and additional contiguous property out of a 95.5 acre tract further described in Vol. 29, Pg. 314 O.R.P.R., ALL located in Section 41 and Section 56, Block 48, Houston and Tennessee Central Railroad (H.&T.C. R.R.) Company Survey in Hartley County, Texas.

COMMENCING at a magnetically indicative point (#5) found in the approximate centerline of east 16th Street and County Road "A" and held for the northwest corner of Section 41, Block 48, H.&T.C. R.R. Co. Survey, and having project grid coordinates of North: 4,028,785.02 feet and East: 361,833.27 feet;

same as from whence the center of a sewer manhole lid bears N 10d 57' 20" W -- 24.65 feet (Bearings are grid bearings based on the Texas Coordinate System - North zone, NAD 83. Distances are grid distances and can be converted to surface values (U.S. survey foot) by multiplying by the project combined scale factor of 1.00021617, which was derived from an average of 2 OPUS solutions and subsequently used to calculate land area);

same as from whence a 2" iron pipe with 1/2" x 3 feet rebar witness located (pt# 113) and held for the southwest corner of Section 41 and the common corner of Sections 40, 41, 56, and 57, Blk-48, H.&T.C. and having project grid coordinates of North: 4,023,600.24 feet and East: 361,777.98 feet bears S 0d 36' 39" W -- 5,185.07 feet;

same 2" iron pipe section corner from whence a magnetically indicative point (pt #62) located in the centerline of F.M. 281 and held for the common corner of Sections 41, 42, 55, and 56 and having project grid coordinates of North: 4,023,546.32 feet and East: 367,058.61 feet bears S 89d 24' 54" E -- 5,280.90 feet;

- a. THENCE S 0d 36' 39" W with the west line of Section 41, the west line of the east alley of the Williams Addition further described in Vol. 30, Pg. 383 Deed Records (D.R.) Hartley County Clerk files, and along a north-south road a distance of 1,131.19 feet to a point;
- b. THENCE S 90d 00' 00" W a distance of 0.13 feet to a 1/2" iron rod (I.R.) with red / orange located (pt #8) with illegible cap having project grid coordinates of North: 4,027,653.89 feet and East: 361,821.08 feet for the POINT OF BEGINNING of this tract;

same as from whence a mag nail (pt #10) located with washer stamped "LTRA" bears S 22d 13' 17" W – 10.66 feet;

same as from whence a 1/2" iron rod and cap (I.R.&C) located (pt #234) with cap stamped "LANDTECH" bears S 03d 30' 38" W – 132.82 feet;

1. THENCE S 49d 39' 28" E with the northeast R-O-W of U.S. Hwy 385 / 87 (herein after referred to as Hwy 87) a distance of 142.52 feet to a Texas Department of Transportation (TXDOT) R-O-W monument located (pt #12) with destroyed/missing aluminum cap at Station (STA) = 44+87.16 – 56.92 Left (Lt.) and having project grid coordinates of North: 4,027,561.63 feet and East: 361,929.70 feet;
2. THENCE S 53d 33' 17" E with the northeast R-O-W of Hwy 87 as described in Vol. 39 Pg. 395 Official Real Property Records (O.R.P.R.) of Hartley County, Texas, a distance of 1,351.46 feet to a TXDOT R-O-W monument located (pt #118) 1.7 feet out from an iron pipe fence corner and having project grid coordinates of North: 4,026,758.79 feet and East: 363,016.85 feet for a corner of this tract;
3. THENCE S 49d 44' 30" E with the northeast R-O-W of Hwy 87 as described in Vol. 34 Pg. 386 and Vol. 35, Pg. 251 at distance of 378.11 feet to a TXDOT R-O-W monument located (pt #16) at Hwy 87 STA = 62 + 12.88 for the Point of Curvature (P.C.) of a curve to the left and having project grid coordinates of North: 4,026,514.44 feet and East: 363,305.41 feet for a corner of this tract;
4. THENCE southeasterly with the northeast R-O-W of Hwy 87 as described in Vol. 34, Pg. 386 along a curve best approximated as having a radius of 6,029.58 feet, a central angle of 14d 40' 06", and subtended by a long chord bearing S 42d 23' 00" E – 1,539.20 feet (measured) an arc length of 1,534.31 (deed distance converted to grid feet) to a 1/2" I.R.&C. (#2241) located (pt #18) and held for the northwest corner of a 3.48 acre tract further described in Vol. 50, Pg. 98 O.R.P.R. and having project grid coordinates of North: 4,025,377.51 feet and East: 364,342.96 feet for a corner of this tract;

same as from whence a 1/2" I.R.&C. (#2241) located (pt #30) for an offset to the northeast corner of a 95.5 acre tract further described in Vol. 29 Pg. 314 O.R.P.R. bears S 89d 24' 29" E -- 2,700.94 feet;

5. THENCE S 89d 24' 29" E with the north line of said 95.5 acre tract, the north line of said 3.48 acre tract, the north line of a 0.269 acre tract further described in Instr. # 105977, and with the centerline of a 40 feet easement described in Vol. 64, Pg. 447 O.R.P.R. a distance of 835.65 feet to a point in the north line of said 95.5 acre tract for the northeast corner of said 0.269 acre tract and the north corner of a 4.56 acre tract and a corner of this tract;
6. THENCE S 11d 49' 42" E with the west line of a 4.56 acre tract and across said 95.5 acre tract,

passing at 20.68 feet a 1/2" I.R.&C. (#6423) retrieved (pt #24) having project grid coordinates of North: 4,025,348.63 feet and East: 365,182.80 feet for a 20.48 feet south offset to the north corner of a 4.56 acre tract, same north corner also being the northeast corner of said 0.269 acre tract, and

continuing on a total distance of 363.74 feet to a 1/2" I.R.&C. (#2241) retrieved (pt #36) for the northeast corner of a 4.22 acre tract further described in Instr.# 103941 O.R.P.R. and having project grid coordinates of North: 4,025,012.86 feet and East: 365,253.09 feet for a corner of this tract;

7. THENCE S 24d 32' 15" E with the west line of said 4.22 acre tract a distance of 333.97 feet to a 1/2" I.R.&C. (#2241) retrieved (pt #38) for the southeast corner of said 4.22 acre tract and having project grid coordinates of North: 4,024,709.05 feet and East: 365,391.79 feet for a corner of this tract;
8. THENCE S 24d 32' 15" E across said 95.5 acre tract a distance of 390.00 feet to a point being a 390 feet extension of the east line of said 4.22 acre tract, and a corner of this tract;
9. THENCE S 00d 27' 18" W perpendicular with the north line of a 10.69 acre tract further described in Instr.# 104038, a distance of 96.07 feet to a 1/2" I.R.&C. (#6423) set (pt #293 -calc) in the north line of said 10.69 acre tract and having project grid coordinates of North: 4,024,258.18 feet and East: 365,553.00 feet for a corner of this tract;
10. THENCE S 89d 32' 42" E with the north line of said 10.69 acre tract distance of 324.84 feet to a 1/2" I.R.&C. (#2241) retrieved (pt #54) for the northeast corner of said 10.69 acre tract and having project grid coordinates of North: 4,024,255.60 feet and East: 365,877.82 feet for a corner of this tract;
11. THENCE S 00d 34' 58" W with the east line of said 10.69 acre tract a distance of 659.87 feet to a 1/2" I.R.&C. (#2241) retrieved (pt #58) in the north R-O-W line of F.M. 281 (80 feet R-O-W) at approximated STA = 8 + 37 - 40 Lt. for the southeast corner of said 10.69 acre tract and having project grid coordinates of North: 4,023,595.77 feet and East: 365,871.10 feet for a corner of this tract;
12. THENCE S 00d 34' 58" W with an extension of the east line of said 10.69 acre tract,

passing at 37.32 feet the common section line of Section 41 and Section 56 from whence aforementioned magnetically indicative point (pt #62) held for the common corner of Sections 41, 42, 55, and 56 with F.M. 281 STA = 20 + 25 bears S 89d 24' 54" E a distance of 1,187.94 feet, and

continuing in all a total distance of 80.07 feet to a 1/2" I.R.&C. (#6423) set (pt #72 -calc) at the intersection of the extension of the east line of said 10.69 acre tract with the south R-O-W line of

F.M. 281 and having project grid coordinates of North: 4,023,515.70 feet and East: 365,870.29 feet for a corner of this tract;

same as from whence a 1/2" I.R.&C. (#2241) located (pt #60) and held for a 40 feet south offset to the directly aforementioned section line bears S 89d 32' 35" E a distance of 1,1185.20 feet;

13. THENCE N 89d 32' 36" W with the south R-O-W line of F.M. 281 a distance of 517.22 feet to a TXDOT R-O-W monument located (pt #64) at Hwy 87 STA = 98 + 29.09 – 145.32 Lt. and having project grid coordinates of North: 4,023,519.83 feet and East: 365,353.08 feet for the northeast corner of a 1.23 acre tract further described in Vol. 36, Pg. 541 O.R.P.R., and a corner of this tract;

14. THENCE S 32d 49' 49" W with the northeast R-O-W line of Hwy 87 and an east line of said 1.23 acre tract a distance of 53.88 to a TXDOT R-O-W monument located (pt #66) at Hwy 87 STA = 98 + 57.97 – 100 Lt. and having project grid coordinates of North: 4,023,474.56 feet and East: 365,323.87 feet for a corner of this tract;

15. THENCE N 89d 24' 54" W parallel with the common line of Section 41 and Section 56,

passing at 99.5 feet (calculated) the west line of said 1.23 acre tract and the east line of a 60 feet strip further described in Vol. 62, Pg. 395 Deed Records (D.R.) Hartley County, Texas, and

passing at 165.8 feet (calculated) the west line of the directly aforementioned 60 feet strip and the east 100 feet R-O-W of the BNSF [formerly known as Fort Worth and Denver City Railway Company (FW&DC)], and

passing at 276.4 feet the centerline of the BNSF main track at a point 98.8 feet south of the F.M. 281 crossing, said crossing having a BNSF station number STA = 21891 + 83.5 per FW&DC R-O-W and Track Map of Line Segment 0485 (Mile Post 384 to 417) – r56845 near mile marker 414.62), and

traversing in all a total distance of 386.00 feet to a 1/2" I.R.&C. (#6423) set (pt #249 –calc) in the BNSF southwest R-O-W line (measured 100 feet perpendicular from the main track) and in the east line of a 9.30 acre tract further described in Vol. 82, Pg. 784 O.R.P.R. and having project grid coordinates of North: 4,023,478.50 feet and East: 364,937.89 feet for a corner of this tract;

same as from whence a 1/2" I.R.&C. (#2241) located (pt #220) for the southeast corner of said 9.30 acre tract bears S 24d 31' 08" E – 625.79 feet and has project grid coordinates of North: 4,022,909.14 feet and East: 365,197.59 feet;

16. THENCE N 24d 31' 08" W with the BNSF southwest R-O-W line and with the east line of said 9.30 acre tract a distance of 43.61 feet to a 1/2" I.R.&C. (#6423) set (pt # 250 -calc) at the intersection of the south 50 feet R-O-W line of F.M. 281 (100 feet total R-O-W) at approximate F.M. 281 STA = 145 + 49.4 - 50.0 Rt. for the northeast corner of said 9.30 acre tract and having project grid coordinates of North: 4,023,518.17 feet and East: 364,919.79 feet for a corner of this tract;
17. THENCE N 89d 24' 54" W parallel with the common section line of Section 41 and Section 56, same being the south 50 feet R-O-W line of F.M. 281 and the north line of said 9.30 acre tract a distance of 533.28 feet to a brad with washer #6423 set (pt #253) for the reconstructed northwest corner of said 9.30 acre tract and the northeast corner of a 14.869 acre tract further described by plat #137 - Hartley County Clerk files and at approximate F.M. 281 STA = 140 + 16 - 50.0 Rt. and having project grid coordinates of North: 4,023,523.64 feet and East: 364,386.54 feet for a corner of this tract;
18. THENCE N 00d 12' 19" E with an extension of the east line of said 14.869 acre tract and with the east line of a previous annexation described in Vol. 71, Pg. 686 O.R.P.R.,
- passing at 49.99 feet a point in the common line of Sections 41 and 56 from whence a 2" I.P. section corner (previously described -- pt #113) bears N 89d 24' 54" W a distance of 2,608.87 feet, and
- continuing in all a total distance of 99.98 feet to a 1/2" I.R.&C. (#6423) set (pt # 294 -calc) in the north R-O-W line of F.M. 281, same being the south line of a 30.64 acre tract further described in plat #143 Hartley County clerk files and the south line of a previous annexation described in Vol. 102, Pg. 275 O.R.P.R., and having project grid coordinates of North: 4,023,623.60 feet and East: 364,386.89 feet for a corner of this tract;
19. THENCE S 89d 24' 54" E with the north R-O-W line of F.M. 281, the south line of said 30.64 acre tract, and the south line of said previous annexation a distance of 487.11 feet to a 1/2" I.R.&C. (#6423) set (pt #252 -calc) at the intersection of said north R-O-W line of F.M. 281 at approximate F.M. 281 STA = 145 + 02.6 - 50.0 Lt. with the southwest 100 feet R-O-W line of the BNSF railway at approximate BNSF station number STA = 21892 + 38.7 - 100.0 Lt., and having project grid coordinates of North: 4,023,618.62 feet and East: 364,873.98 feet for a corner of this tract;
- same as from whence a 1/2" I.R.&C. (#2241) located (pt #75) bears S 24d 36' 54" E - 3.27 feet;
20. THENCE N 24d 33' 39" W with the southwest 100 feet R-O-W line of the BNSF railway (measured 100 feet perpendicular from the main track), and with the east line of said 30.64 acre tract with associated previous annexation a distance of 730.08 feet to a 1/2" I.R. located (pt #79) and held for a property corner of said 30.64 acre tract and approximate Point of Curvature (P.C.)

of the railroad curve, and having project grid coordinates of North: 4,024,282.65 feet and East: 364,570.51 feet for a corner of this tract;

21. THENCE northwesterly with the southwest 100 feet R-O-W of the BNSF railway measured 100 feet perpendicular from the existing main tract, and with the east line of said 30.64 acre tract and associated annexation, and with the east line of a 47.27 acre tract further described in Vol. 131, Pg. 495 O.R.P.R., and along a curve best approximated as having a radius of 5,678.29 feet, a central (delta) angle of 25d 01' 27", and being subtended by a long chord which bears N 37d 09' 33" W - 2,460.36 feet (measured);

passing at 127.15 feet a 1/2" I.R.&C. (#2241) located (pt #97) and held for the southeast corner of a 47.27 acre tract, and having project grid coordinates of North: 4,024,397.61 feet and East: 364,516.20 feet for a corner of this tract, and

continuing on a total arc distance of 2,480.01 feet to a 1/2" I.R. located (pt #140) and held for a property corner of said 47.27 acre tract and approximate Point of Tangency (P.T.) of the southwest 100 feet railroad R-O-W curve measured 100 feet perpendicular from the existing main track, and having project grid coordinates of North: 4,026,243.45 feet and East: 363,084.38 feet for a corner of this tract;

22. THENCE N 49d 44' 39" W with the southwest R-O-W line of the BNSF railway and the north line of said 47.27 acre tract a distance of 283.93 feet to a 1/2" I.R.&C. (#2241) located (pt #81) and held for the northwest corner of said 47.27 acre tract and the northeast corner of a 33 acre tract further described in Vol. 105, Pg. 081, and having project grid coordinates of North: 4,026,426.92 and East: 362,867.70 feet for a corner of this tract;

23. THENCE N 49d 44' 16" W with the southwest R-O-W line of the BNSF railway and the north line of said 33 acre tract and the north line of a 1.63 acre tract further described in Vol. 103, Pg. 717 a distance of 1,376.10 feet to a 1/2" x 24" I.R.&C. (#6423) set (pt #237 - calc) at the intersection of the southwest R-O-W line and the west line of Section 41, and having project grid coordinates of North: 4,027,316.28 feet and East: 361,817.61 feet for a corner of this tract;

24. THENCE N 00d 36' 39" E with the west line of Section 41,

passing at 129.52 feet the centerline of the BNSF railway at STA 21942 + 87.2 (per previously reference BNSF R-O-W Map r56845), and

passing at 259.81 the northeast 100 feet R-O-W line of the BNSF railway, same being a point inside the Hwy 87 R-O-W at 87 STA 43 + 92.4, and

continuing in all a total distance of 337.64 feet to a point in the west line of Section 41 for a corner of this tract;

25. THENCE S 90d 00' 00" W a distance of 0.13 feet to the POINT OF BEGINNING.

The above described tract encompasses 70.02 acres in Section 41 and 1.99 acres in Section 56 for a total of 72.01 acres.

NOTES:

1. Bearings based on the Texas Coordinate System, North Zone, NAD83
2. Distances are grid distances and can be converted to surface distances by multiplying by the project combined scale factor of 1.00021617.
3. Date of most recent field survey work: July 27, 2015.
4. A plat of same date accompanies this description.

Shad W. McDaniel

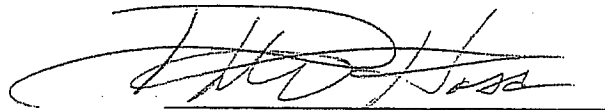
Date

RPLS-6423

-OO- Engineering & Surveying P.O. Box 941 Dalhart, TX 79022 (806)-333-6520

A public hearing will be held by and before the City Council of the City of Dalhart, Texas on the 13th day October, 2015 at 6:15 p.m. o'clock in the City Council Chamber of the City Hall of Dalhart, Texas, for all persons interested in the above proposed annexation. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice.

By order of the City Council of the City of Dalhart, Texas this the 26th day of August, 2015.

A handwritten signature in black ink, appearing to read "Phillip Hass", written over a horizontal line.

Phillip Hass, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Frances Chiders", written over a horizontal line.

Frances Chiders, City Secretary